

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Alan J. Stern	§	Confirmation No.: 8841
Serial No.: 10/582,156	§	Art Unit: 1611
Filed: June 08, 2006	§	Examiner: Klinkel, Kortney L.
Title: Surfactant Enhanced Quick Release Pesticide Granules	§	
	§	
	§	
	§	

## RULE 1.132 DECLARATION OF ALAN J. STERN

I, Alan J. Stern, the undersigned, state the following:

1. I have a Ph.D. in Organic Chemistry from The Ohio State University.
2. I was employed in the surfactant/agrochemical industry from 1988 through 2007 and have worked with Huntsman since 2003; my current title is Research Chemist, Agrochemicals Group. My current work still includes efforts to develop new and improved agrochemical formulations that can be used in the crop protection and lawn and garden markets.
3. I am an inventor of the subject matter of US Patent Application 10/582,156.
4. I declare that one skilled in the art would know at the time the above identified application was filed that BIODAC® granules are a cellulose complex that is a mixture of paper fiber, kaolin, calcium carbonate, and titanium dioxide. Attached to this Declaration as Exhibit I is a Material Data Safety Sheet that describes the BIODAC® products.

I declare that all statements made of my own knowledge are true, and that all statement made on information and belief are believed to be true. I made these statements with the knowledge that wilful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application or any patent issued thereon.

4-15-2009  
Date

Alan J. Stern

EXHIBIT I



## MATERIAL SAFETY DATA SHEET

MANUFACTURER: Kadant GranTek Inc.  
ADDRESS: 607 Liberty Street  
Green Bay, WI 54304  
PHONE: 920/435-5200  
FAX: 920/435-5229

Date Prepared: 08/14/06  
SUPERCEDES: NCFH-5  
MSDS# NCFH-6

### SECTION I. MATERIAL IDENTIFICATION

Chemical Name and Synonyms:	Cellulose Complex	Trade Name and Synonyms:	BIODAC®	
Chemical Family:	Cellulose Complex	Formula:	Chemical Blend	Estimated Weight %
		Paper Fiber	CAS# 9004-34-6	47-53
		Kaolin	CAS# 1332-58-7	28-34
		Calcium Carbonate	CAS# 471-34-1	14-20
		Titanium Dioxide	CAS# 13463-67-7	<1

### SECTION II. INGREDIENTS AND HAZARDS

The materials listed in this Material Safety Data Sheet are classified as non-hazardous in accordance with the definition as set forth in 29 CFR Part 1910.1200(g) (2) (c).

#### EMERGENCY INFORMATION:

EMERGENCY CONTACT: "(800) 424-9300"

IS TO BE USED "ONLY IN THE EVENT OF CHEMICAL  
EMERGENCIES INVOLVING A SPILL, LEAK, FIRE, EXPOSURE,  
OR ACCIDENTS INVOLVING CHEMICALS." AVAILABLE 24 HOURS.

### SECTION III. PHYSICAL DATA

Boiling Point at 1 atm, deg F:	N/A Solid	Evap. Rate (_____=1):	N/A
Vapor Pressure at (mm Hg):	N/A Solid	Volatiles, % by Volume:	< 1
Vapor Density (air = 1):	N/A Solid	Molecular Weight:	N/A
Water Solubility:	N/A Solid	Bulk Density:	38-46 lbs/cft.
Appearance & Odor:	Typically gray, with musty odor.		

### SECTION IV. FIRE AND EXPLOSION DATA

Flammability Limits in air    LOWER N/A    UPPER N/A

Extinguishing Media: Water, CO<sub>2</sub>, Foam

Special Fire Fighting Procedures: None Required

Unusual Fire and Explosion Hazards: None

Autoignition Temp: 220°C

TLV: None Established

### SECTION V. HEALTH HAZARD INFORMATION

FIRST AID	Eye Contact:	Flush with water or eye drops to remove particles.
	Skin Contact:	Wash with soap & water.
	Inhalation:	Remove by expiration.
	Ingestion:	Induce vomiting.

#### SECTION VI. REACTIVITY DATA

Stability      Stable:    X      Conditions to Avoid:    None Known  
Unstable:

Incompatibility (Materials to Avoid):    None

Hazardous Decomposition:    None

Hazardous Polymerization:    May Occur:    Conditions to Avoid:    None Known  
Will Not Occur:    X

#### SECTION VII. SPILL, LEAK, AND DISPOSAL PROCEDURES

Spills, Leaks: (Steps to be taken)    Sweep up and contain for disposal.

Waste Disposal Method: Incinerate or bury in an approved landfill in compliance with all federal, state, and local laws.

#### SECTION VIII. SPECIAL PROTECTION INFORMATION

Respiratory Protection (Specify Type):    None Required

Ventilation:    Use local exhaust to control possible air borne material.

Other:            None

Protective Gloves:    Gloves recommended for prolong exposure.

Eye Protection:    Eyeglasses with side shields recommended.

#### SECTION IX. SPECIAL PRECAUTIONS AND COMMENTS

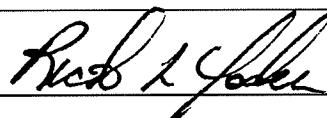
Storage & Handling Information:    Store in a dry location away from foodstuffs and animal feed.

Other Precautions:    None

DOT Class:    Cellulose Granular

Judgements as to the suitability of information herein for purchaser's purposes are necessarily purchaser's responsibility. Therefore, although reasonable care has been taken in the preparation of such information, GranTek Inc. extends no warranties, makes no representations and assumes no responsibility as to accuracy or suitability of such information for application to purchaser's intended purposes or for consequences of its use

Signed



Title

Vice President, Operations